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# HOUSE CONCURRENT RESOLUTION

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REQUESTING A TASK FORCE TO REVIEW AND REPORT ON THE  
ESTABLISHMENT OF FAIR AND PROPORTIONAL FINES FOR CERTAIN  
PENALTIES IN HAWAII TO ENSURE A FAIR AND MEANINGFUL  
DETERRENT TO ILLEGAL BEHAVIOR FOR INDIVIDUALS ACROSS THE  
ECONOMIC SPECTRUM.

1 WHEREAS, penalties for some violations and infractions in  
2 all areas of law in Hawaii tend to be flat fines, including but  
3 not limited to speeding, and negligent or reckless actions; and  
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5 WHEREAS, such actions can lead to serious injuries or death  
6 and, in the case of traffic violations, are a leading cause of  
7 vehicular accidents and manslaughter in Hawaii; and  
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9 WHEREAS, penalties for those violations and infractions  
10 should serve as a meaningful deterrent to illegal behavior;  
11 however, a flat fine often serves as a meaningful deterrent only  
12 for those to whom it has a financial impact, making for an  
13 unfair application of justice in Hawaii; and  
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15 WHEREAS, while a fine for \$200 may serve as a meaningful  
16 deterrent to illegal behavior for an individual of average  
17 means, it may require a \$2,000 fine to serve as a meaningful  
18 deterrent to illegal behavior for a wealthy individual; now,  
19 therefore,  
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21 BE IT RESOLVED by the House of Representatives of the  
22 Thirtieth Legislature of the State of Hawaii, Regular Session of  
23 2019, the Senate concurring, that a task force be established to  
24 review and report on the establishment of fair and proportional  
25 fines for certain penalties in Hawaii to ensure a fair and  
26 meaningful deterrent to illegal behavior for individuals across  
27 the economic spectrum; and  
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1 BE IT FURTHER RESOLVED that the task force is requested to  
2 consist of:

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- 4 (1) The Chief Justice of the Hawaii Supreme Court, or the  
5 Chief Justice's designee, who shall chair the task  
6 force;
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- 8 (2) The Attorney General, or the Attorney General's  
9 designee;
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- 11 (3) The Public Defender, or the Public Defender's  
12 designee;
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- 14 (4) The Prosecuting Attorney of each county, or the  
15 Prosecuting Attorney's designee;
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- 17 (5) The Chair of the House of Representatives Committee on  
18 Judiciary;
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- 20 (6) One member of the Senate designated by the President  
21 of the Senate; and
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- 23 (7) Any others appointed by the chair of the task force;  
24 and
- 25

26 BE IT FURTHER RESOLVED that the task force is requested to  
27 submit a report of its findings and recommendations, including  
28 any proposed legislation, to the Legislature no later than  
29 December 1, 2019; and

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31 BE IT FURTHER RESOLVED that certified copies of this  
32 Concurrent Resolution be transmitted to the Governor; Chief  
33 Justice of the Hawaii Supreme Court; Attorney General of the  
34 State of Hawaii; Public Defender of the State of Hawaii; and  
35 Prosecuting Attorney of each county.

